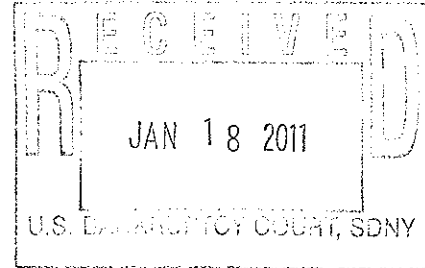


**Omer L. Rains**  
**1 Smith Farm Road**  
**Bedford, NY 10506**  
**(914) 714-0630**  
**senorains@att.net**



January 10, 2011

Clerk of the United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, NY 10004

Irving H. Picard, Trustee  
c/o Baker & Hostettler, LLP  
Attn: Claims Department  
45 Rockefeller Plaza  
New York, NY 10111

Re: **Koala/Penguin Investments, Claim No. 100472**  
**Bankruptcy Case No. 08-1789 (BRL)**

To Whom It May Concern:

I am in receipt of your letter dated December 22, 2010 advising the undersigned that the referenced claim has been denied. I disagree with this determination and, in connection with this matter, desire a hearing before Bankruptcy Judge Burton R. Lifland or another magistrate of competent jurisdiction in connection with the Madoff matter.

You stated in your letter that that the undersigned did not have an account with Bernard L. Madoff Investment Securities LLC ("BLMIS"). However, this is not correct. The account was with a "feeder fund" to BLMIS. That is well established by attachments to this letter and by affidavits to be timely presented prior to the time of hearing and in accordance with appropriate rules of evidence.

In addition, the Trustee errs in advising the Court that he did not receive the claim until "December 8, 2010." In truth and in fact, the original claim was received by the Trustee almost a year and a half prior to December 8, 2010.

I await your reply and to receiving notice of an appropriate hearing date and time in connection with this matter, either before Judge Lifland or before another appropriate hearing officer.

Very truly yours,

Koala/Penguin Investments, by

  
Omer L. Rains